

FILE COPY

STATE OF WISCONSIN
BEFORE THE EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS;
PROFESSIONAL ENGINEERS SECTION

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
ANTHONY J. PLESH, P.E.,	:	
RESPONDENT.	:	

The parties in this matter for the purposes of Wis. Stats. sec. 227.53 are:

Anthony J. Plesh
Box 11
Ramsay, Michigan 49959

Examining Board of Architects, Professional Engineers,
Designers and Land Surveyors
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the Stipulation and makes the following:

FINDINGS OF FACT

1. Anthony J. Plesh, Respondent herein, holds a certificate of registration to practice as a professional engineer in the State of Wisconsin. His certificate bears number 14398 and was issued October 11, 1974.
2. Respondent's date of birth is December 30, 1945 and current address is Box 11, Ramsay, Michigan 49959.
3. At all times relevant to this matter (1983-1985), the Respondent was self-employed as owner of an engineering firm, Plesh Engineering.
4. At all times relevant to this matter (1983-1985), the Respondent employed other engineers to prepare the detailed bridge designs and hydraulics calculations on bridge projects submitted to the Department of Transportation, Division of Highways and Transportation Services, although the Respondent signed and sealed the plans as the principal engineer.

STATE OF WISCONSIN
BEFORE THE EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS;
PROFESSIONAL ENGINEERS SECTION

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
ANTHONY J. PLESH, P.E.,	:	
RESPONDENT.	:	

The parties in this matter agree and stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation of Anthony J. Plesh's certificate of registration by the Division of Enforcement involving allegations of negligence/incompetence regarding bridge projects (Case file 85 ENG 36). Mr. Plesh consents to the resolution of this investigation by stipulation and without the issuance of a formal disciplinary complaint and hearing.

2. The Respondent (Anthony J. Plesh) understands by signing this Stipulation that he voluntarily and knowingly waives his rights in this matter, including the right to a hearing on the allegations against him, at which time the State has the burden of proving the allegations by clear, satisfactory and convincing evidence, the right to confront and cross-examine the witnesses against him, the right to call witnesses on his own behalf and to compel their attendance by subpoena, the right to testify in his own behalf, the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision, the right to petition for rehearing and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

3. The Respondent admits the statements found in the attached Final Decision and Order and agrees to the adoption of the attached Final Decision and Order by the Professional Engineers Section of the Examining Board.

4. The Respondent and the Division of Enforcement urge the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors; Professional Engineers Section to adopt this Stipulation and attached Final Decision and Order in this matter.

5. If the terms of this Stipulation and attached Final Decision and Order are not acceptable to the Board, then none of the parties shall be bound by any of the terms.

6. The attached Findings of Fact, Conclusions of Law, Final Decision and Order may be made and entered in this matter by the Wisconsin Examining Board of Architects, Professional Engineers, Designers and Land Surveyors; Professional Engineers Section, without prior notice to any party.

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Examining Board of Architects, Professional Engineers, Designers and Land Surveyors.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Examining Board of Architects, Professional Engineers, Designers and Land Surveyors

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Examining Board of Architects, Professional Engineers, Designers and Land Surveyors.

The date of mailing of this decision is March 22, 1989.

WLD:dms
886-490